

LEVY KONIGSBERG LLP
ATTORNEYS AT LAW
800 THIRD AVENUE
NEW YORK, N.Y. 10022

(212) 605-6200
FAX: (212) 605-6290
WWW.LEVYLAW.COM

NEW JERSEY OFFICE
QUAKERBRIDGE EXECUTIVE CENTER
101 GROVERS MILL ROAD
LAWRENCEVILLE, NJ 08648
TELEPHONE: (609) 720-0400
FAX: (609) 720-0457

ATLANTA OFFICE
1800 PEACHTREE ST, NW
ATLANTA, GEORGIA 30309
TELEPHONE: (404) 748-1600
FAX: (404) 745-8624

March 31, 2016

Via ECF

Honorable Claire C. Cecchi, U. S. D. J.
United States District Court for the District of New Jersey
Martin Luther King Building & US Courthouse
50 Walnut Street, Room 4015

Re: Hoffeditz v. AM General, LLC, et al.
Civil Action No.: 2:09-cv-257-CCC-JAD

Dear Judge Cecchi:

Please accept this brief reply to the letter of March 31, 2016 by counsel to defendant Ford.

No matter how many times defendants try to recast and mischaracterize Dr. Moline's testimony (ascribing to her theories that she did not espouse in her expert report, in her deposition, in her Affidavit, or in her two days of testimony before Your Honor), the truth of the matter is that she articulated and employed essentially the same methodology that Judge D'Agostino held was admissible and satisfied *Daubert* and the Federal Rules. It is telling however, that aside from noting that it is "an unrelated case pending in the Northern District of New York", defendant Ford did not address the *Osterhout* decision at all. Instead, defense counsel attached an excerpt from a 2012 deposition of Dr. Teschke – which it chose not to quote from but rather to mischaracterize – as an argument against what she published in a 2016 "peer reviewed" Letter To The Editor.

We look forward to receiving the Court's decision on the instant motion and moving this case to trial.

Respectfully submitted,



Moshe Maimon

cc: All Counsel of Record – Via ECF